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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/902,662	07/12/2001	Gary Kuan-Hong Hsieh	ING 108	2011

7590 03/25/2005

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EXAMINER

HENEGHAN, MATTHEW E

ART UNIT	PAPER NUMBER
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2134

DATE MAILED: 03/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/902,662

Applicant(s)

HSIEH ET AL.

Examiner

Matthew Heneghan

Art Unit

2134

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 July 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-14 have been examined.

Drawings

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "31" has been used to designate both the card and the card reader in the specification. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

3. Claims 4 and 8 are objected to because of the following informalities: Each claim lacks a transitional phrase.

Regarding claim 4, it is being presumed that the portion of the claim after the word "characterized" is its limitations, being recited in an open-ended manner.

Regarding claim 8, it is being presumed that the portion of the claim after the first semi-colon is its limitations, being recited in an open-ended manner.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claim 4 is rejected under 35 U.S.C. 102(b) as being anticipated by WIPO Publication No. 00/07339 to Ferrell et al.

Ferrell discloses a system wherein a smartcard is used to access a proxy server from which, based upon the information in the smartcard, URL's are selected and web pages accessed (see p. 9, lines 2-7 and p. 10, line 15 to p. 11, line 16).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-3, 5-11, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over WIPO Publication No. 00/07339 to Ferrell et al. as applied to claim 4 above, and further in view of U.S. Patent No. 4,273,996 to Weimer.

Regarding claim 1, Ferrell discloses the use of a smartcard reader (see p.8, lines 28-29), but does not give details of the operation of the reader.

Weimer discloses the use of a card reader polling (i.e. the period checking of status) signal for determining the validity of a card (see column 4, line 49 to column 5, line 14).

Therefore, it would be obvious to one of ordinary skill in the art at the time the invention was made to implement the invention of Ferrell by using card reader polling, as disclosed by Weimer, for determining the validity of a card.

Regarding claim 2, Ferrell discloses the use of re-configurable passwords, beginning with a factory-set password (see p. 10, lines 1-8). The original password and subsequent ones constitute a succession. Several means for password input (such as a keyboard) are disclosed (see p. 8, lines 25-27).

As per claim 3, data for automatically opening the browser is disclosed (see p. 10, lines 10-13).

As per claims 5-7, 10, 11, and 13, the system is implemented using a microcontroller (see p. 7, line 27 to p. 8, line 29).

As per claims 8-9, a PCMCIA modem is included, enabling the disclosed Internet access (see p. 7, line 20).

6. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over WIPO Publication No. 00/07339 to Ferrell et al. in view of U.S. Patent No. 4,273,996 to Weimer as applied to claim 10 above, and further in view of U.S. Patent No. 5,968,142 to Frederic.

Ferrell and Weimer do not address what is done when a system loses contact with a smartcard.

Frederic discloses a system wherein a logoff procedure is initiated upon removal of a smartcard (see abstract), and suggests that use of a computer may require the presence of a smartcard (see column 1, lines 38-40).

Therefore, it would be obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Ferrell and Weimer by logging off after losing contact with the smartcard, as disclosed by Frederic, as the use of a computer may require the presence of a smartcard.

7. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over WIPO Publication No. 00/07339 to Ferrell et al. in view of U.S. Patent No. 4,273,996 to Weimer as applied to claim 10 above, and further in view of U.S. Patent No. 6,452,616 to De Vito et al.

Ferrell and Weimer disclose a smartcard where multiple passwords may be stored, but do not explicitly state that two or more associated passwords are stored simultaneously.

De Vito discloses a system wherein multiple passwords for conditional access are stored on a smartcard and suggests that multiple passwords may be necessary, such as a parental lock passwords and a home shopping services password (see column 7, lines 12-34).

Therefore, it would be obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Ferrell and Weimer by using multiple passwords, as disclosed by De Vito, as they may be necessary to access different functionalities.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew E. Heneghan, whose telephone number is (571) 272-3834. The examiner can normally be reached on Monday, Tuesday, Thursday, and Friday from 8:30 AM - 4:30 PM Eastern Time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Morse, can be reached at (571) 272-3838.

Any response to this action should be mailed to:
Commissioner of Patents and Trademarks
P.O. Box 1450
Alexandria, VA 22313-1450

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Or faxed to:
(703) 872-9306

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MEH *MEH*

March 18, 2005

[Handwritten Signature]
STEPHEN J. MOSE
ATTORNEY AT LAW
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